

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
Stewart C. Miller )  
Serial No.: To be assigned ) Group Art Unit: To be assigned  
Filed: June 25, 2003 ) Examiner: To be assigned  
Title: CULTIVATION OF MORCHELLA ) June 25, 2003

INFORMATION DISCLOSURE STATEMENT

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

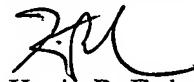
Sir:

Applicant wishes to bring to the attention of the Examiner the documents identified on the attached form PTO/SB/08A. Applicant respectfully requests that these documents be made of record in the present application.

Copies of these documents are not being submitted herewith, as they were previously cited in a prior application, namely, Application Serial No. 10/180,690, filed June 26, 2002, which is being relied upon for an earlier filing date under 35 U.S.C. § 120.

If any fees are necessary in connection with this document, please charge Deposit Account No. 02-0390, Baker & Daniels.

Respectfully submitted,



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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

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<b>Application Number</b>	To be assigned
<b>Filing Date</b>	June 25, 2003
<b>First Named Inventor</b>	Stewart C. Miller
<b>Art Unit</b>	To be assigned
<b>Examiner Name</b>	To be assigned
<b>Attorney Docket Number</b>	SMLR-002-01

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	"Phosphate Activity of External Hyphae of Two Arbuscular Mycorrhizal Fungi", Joner et al.; Mycological Research 104, No. 1 (2000); pp 81-86	
	2	"Endophytic Fungi Associated with Palms", Frohlich et al.; Mycological Research 104, No. 10 (2000); pp. 1202-1212	
	3	"The Mushroom Handbook", Louis C.C. Krieger, Dober Publications, June 1967; pp.20-21,32-39, 56-57, Plates 26 & 27	
	4	"Answorth & Bisby's Dictionary of the Fungi" Hawksworth et al.; CAB International Publishing	
	5	"Mushrooms of Northeastern North America", Bessette et al.; Print Net (1997); pp.476-477	
	6	"Allelic Variation and Segregation in morchella Deliciosa and M. Esculenta", Gessner et al.; Mycologia, Vol. 79, No. 5 (1987); pp. 683-687	
	7	"A rapid Staining Method for Detection of Endophytic Fungi in Turf and Forage Grasses", Saha et al.; The American Phytopathological Society, Vol. 78, No. 2, (1988); pp.237-239	
	8	"Distribution and Molecular Characterization of the Root Endophyte Phialocephala Fortinii Along an Environmental Gradient in the Boreal Forest of Alberta", Addy et al.; Mycological Research 104, No. 10 (2000); pp. 1213-1221	
	9	Website information from www.truffletree.com for New World Truffieres, Inc. "Truffle Cultivation Specialists", Copyright 2003	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.  
 This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	To be assigned
Sheet	1	of	2
		Attorney Docket Number	SMLR-002-01

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> ( <i>if known</i> )			
		US- 3,945,969	03/09/1976	Carroll, Jr. et al.	
		US- 4,164,405	08/14/1979	Pinckard	
		US- 4,594,809	06/17/1986	Ower, et al.	
		US- 4,599,312	07/08/1986	Mugnier et al.	
		US- 4,757,640	07/19/1988	Ower, deceased et al.	
		US- 4,810,504	03/07/1989	Schindler	
		US- 4,866,878	09/19/1989	Ower, deceased et al.	
		US- 5,022,603	03/26/1991	Safir et al.	
		US- 5,123,203	06/23/1992	Hiromoto	
		US- 5,178,642	01/12/1993	Janerette	
		US- 5,427,592	06/27/1995	Romaine et al.	
		US- 5,759,223	06/02/1988	Carlson et al.	
		US- 5,934,012	08/10/1999	Holtz et al.	
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )				
		JP 2001078566	03/27/2001	Takai Yukio		
		JP 2000092983	04/04/2000	Hiroshima Pref Gov		
		JP 10215678	08/18/1998	IMB KK		
		JP 10113070	05/06/1998	Fujimoto Mizushi		
		EP 373348	06/20/1990	Yamatogiken Kabushiki Kaisha		
		EP 221157	05/13/1987	Neogen Corporation		

Examiner Signature	Date Considered
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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